IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl. Misc. No.56506-M of 2006

DATE OF DECISION:9.11.2006

Sushil Kumar Dabra .....Petitioner

Versus

State of Punjab .....Respondent

CORAM:- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL

Present:- Mrs. Baljit Mann, Advocate
for the petitioner.

Shri N.S. Gill, AAG, Punjab.

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Petitioner Sushil Kumar Dabra apprehending his arrest in a non-bailable offence in case FIR No. 159 dated 21.8.2006 under Sections 420/465/467/468/120-B/34 IPC, registered at Police Station City Muktsar, has filed this petition under Section 438 Cr.P.C. for anticipatory bail.

I have heard counsel for the parties and gone through the contents of the FIR.

Counsel for the petitioner contends that in this case, the complainant has lodged the aforesaid FIR against his uncle and aunts alleging therein that earlier in the partnership concern, namely Dabra Oil Store, Jalandhar Road, Muktsar, mother of the petitioner was partner and after her death, the complainant was not given the share of his deceased mother. Counsel contends that in the partnership deed, there was an arbitration clause and even a civil suit filed by the complainant is pending in the civil Court.

Counsel for the petitioner contends that in view of the order dated 15.9.2006, the petitioner has joined the investigation. Counsel for the

respondent-State on instructions from Kulwant Chand, ASI does not dispute this fact and further states that the petitioner is no more required for custodial interrogation.

In view of the above, the interim bail, granted vide order dated 15.9.2006 is made absolute subject to the same terms and conditions.

This bail order shall remain in operation till the investigation culminates into filing of challan under Section 173 Cr.P.C. except for material change in the circumstances. Thereafter the petitioner shall be entitled to the grant of regular bail by the trial Court and the same shall further continue till conclusion of the trial on the conditions to be imposed by the court of competent jurisdiction.

Disposed of accordingly.

November 9, 2006 **(SATISH KUMAR MITTAL)**
pooja **JUDGE**